

ABSTRACT - ENGLISH

The content of this thesis is aimed towards the interpretation of the so-called non-contractual legal institutions of the use of copyrighted work. These institutions represent such legal tools, that exceptionally allow individuals different from the author to exploit copyrighted work with no dependence on the author's permission or will.

The text of the work is divided into four main chapters. For introduction into the matter, the opening part is dedicated to the explanation of the term copyright law, its position in the Czech legal system and the main principles it lies upon. This broad explanation is subsequently followed by definition of its fundamental terms – author's work and its use.

The crucial part of the work lies in the fourth chapter, which bears the same title as the work itself. The structure of this chapter follows the organisation of the Czech Copyright Act. After description of the free work, the paper gets to the interpretation of individual exemptions and limitations to copyright, thus the institutes of free use and statutory licences. In relation with the matter of exemptions and limitations to copyright, the work does not forget to deal with their key tool, the Three-Step Test, and its related significant interpretation performed by The Dispute Settlement Body at World Trade Organization.

Major part of the paper is devoted to the institution of free use. The main emphasis lies on the related problematics of the private copying levy and fair compensation. In this regard, one can see the main value of the work in an analysis of a significant CJEU decision in Padawan case and following related criticism of the current state of the Czech Copyright Act and common praxis of the collective administration of author's rights.

The final pages of the work are focused on statutory licences. After providing their general overview and categorization, the statutory licence for citations is picked out for its detailed explanation. Furthermore, the most recent addition into the catalogue of statutory licences, the licence for caricature and parody, is presented in the immediate passage.

The work's main focus stays on the interpretation of the matter from the view of the czech domestic law. However, it also concerns itself with the influential legislation of the European Union and relevant case-law of the CJEU.